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Consumers Gain New Protections Against Fraudulent Caller ID "Spoofing"

Violators Face Substantial Fines

Washington, D.C. – Consumers have gained new protections against fraudulent and deceptive use of caller ID services under <u>new rules</u> adopted by the Federal Communications Commission today.

Increasingly, bad actors are altering or manipulating caller ID information—known as caller ID spoofing—to further a wide variety of <u>malicious schemes</u>, from identity theft to placing false emergency calls to SWAT teams. Using spoofing services accessible through the web or prepaid cards, anyone can inexpensively mask the origin of a call with fake caller identification information.

Last year, in response to malicious caller ID spoofing, Congress passed and President Obama signed into law the Truth in Caller ID Act, which prohibited caller ID spoofing with harmful or fraudulent intent and directed the FCC to adopt rules implementing the Act.

Under the FCC's new rules:

- Violators are subject to up to \$10,000 for each violation, or three times that amount for each day of continuing violation, to a maximum of \$1 million for any continuing violation
- The FCC may assess fines against entities it does not traditionally regulate without first issuing a citation
- The FCC can impose penalties more readily than it can under other provisions of the Communications Act

Under the Act, callers are still permitted to alter caller ID information if their purposes are not harmful or fraudulent. For example, domestic violence shelters may have important reasons for not revealing the actual number of the shelter, and doctors responding to after-hours messages from patients may choose to transmit their office numbers rather than their cell phone numbers.

As directed by the Truth in Caller ID Act, the Chairman is also issuing a report to Congress addressing areas where the statute and the Commission's rules may fall short of protecting consumers from harmful caller ID spoofing. The report also discusses several newer types of communications services, including text messaging and social media, and identifies spoofing issues that may arise in conjunction with these services.

The FCC also provided <u>a report to Congress</u> on the issue.

Action by the Commission, June 20, 2011, by Report and Order (FCC 11-100).

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